

INSTITUTIONAL ABUSE

Effective Date:

I. PURPOSE

To provide a coordinated and efficient approach to the investigation of allegations of physical and sexual abuse in out-of-home care settings.

This policy is designed to:

- A. Determine whether children in an out-of-home care setting named in an allegation or identified in the course of an investigation have been abused and/or neglected.
- B. Assure that remedial action is taken by facilities in response to concerns identified during the investigation which would ensure the safety of the children.
- C. Prevent future occurrences of institutional abuse/neglect by offering recommendations which would aid in the process of correcting existing problems identified in the course of the investigation.

II. POLICY

- A. Applicability. This policy shall apply to the investigation of all allegations of abuse/neglect in out-of-home care settings.
- B. Authority. The Department Secretary retains ultimate authority and responsibility for all Departmental investigations. The Division of Management Services, Office of Child Care Licensing retains the day-to-day supervisory authority over the investigation of institutional abuse allegations.
- C. Roles of Divisions. The Institutional Abuse Unit shall take a multi-disciplinary approach toward addressing the issues of institutional abuse investigations. Each Division is responsible for identifying, and

assisting in the resolution of, issues that pertain to the efficient completion of institutional abuse investigations.

- D. Manual. The Institutional Abuse Procedures Manual shall be issued by the Division of Management Services and shall be considered as an addendum to this policy and shall apply to the investigation of all allegations of abuse/neglect in out-of-home care settings. The manual shall provide detailed procedures for the investigation of institutional abuse allegations. It shall also serve as a training guide for providers of out-of-home care. The manual shall be updated as needed to conform with changes in State and Federal Law, policy, and regulation.

III. **DEFINITIONS**

- A. Out-of-home care setting: group homes, foster homes which are part of the program of a licensed child placing agency, residential child care facilities, shelters, day care homes, day care centers, correctional and detention facilities, day treatment programs, all facilities at which a reported incident involves a child/children in the custody of the State of Delaware, and all facilities which are operated by the Department.
- B. Victim: any child under the age of 18 who is alleged to be the subject of child abuse and/or neglect.

IV. **PROCEDURES**

To achieve the purpose of this policy, the Institutional Abuse Unit will:

- A. Accept and screen reports of abuse and neglect of children in out-of-home care settings.
- B. Investigate those reports which meet the criteria as described in the Manual.
- C. Immediately take actions to ensure the safety of children assessed to be at risk.

- D. Assess the information obtained during the investigation.
- E. Formulate findings and develop recommendations based upon the information obtained during the investigation.
- F. Submit findings and recommendations to the appropriate regulatory body.
- G. Be available for consultation with the Office of Child Care Licensing in the development of appropriate corrective action.
- H. Monitor actions taken by regulatory bodies to ensure the safety of children.
- I. Participate in a review team designed to monitor the effectiveness of the investigations of institutional abuse allegations.

V. CONFIDENTIALITY

For the purpose of this policy the Department Confidentiality Policy will be followed. (See Department Policy 205).